

EXHIBIT 9

New York Daily News

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It is a season to be fearful

By **LINDA FAIRSTEIN**

Chief of the Manhattan DA's Sex Crimes Unit

Enter the season of the rapist.

As cruel as the winter was for women all over America — domestic violence, incest and date rape thrive indoors — April is crueler. Because the warm months always bring a rise in violent, stranger rape.

Police investigators and prosecutors long have noted the seasonal nature of sexual assault for crimes that occur outdoors, and they cite a variety of obvious reasons.

With mild temperatures and longer daylight hours, we all spend more time outside, increasing the chances of our vulnerability. Add to that the

simple fact that winter cold is less inviting to an assailant who must expose himself or partially undress to accomplish his goals.

This April has added fuel to the statistical fire with the rape of a Russian woman in Coney Island by a gang of teens who showed the same lack of remorse as the "wilding" teens who attacked a Central Park jogger on an April evening almost exactly five years ago.

The city also was horrified by the murder of an investment banker by her former lover, who raped her, then continued to stalk her until he shot her in the head before killing himself.

And in Riverside Park, a



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rapist was foiled by a 57-year-old grandmother who repelled her assailant by stabbing him with an ice pick.

But the cases reported by the media are only the smallest fraction of what passes through the doors of our emergency rooms and police precincts every day. Thousands of victims report cases every year and are shocked by the ignorance of most of their friends and neighbors about this kind of victimiza-

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tion and who the offenders are.

Rape remains the only crime in which the victims — most often women and children, but frequently men — are stigmatized by others for their victimization when the assailant is known to them, and blamed for their participation in an act committed by forcible compulsion.

There remain many troubling issues to be explored and debated: Why are younger and younger offenders committing these crimes? Are victims entitled to know the HIV status of their assailants? Does the child memory syndrome reflect the recall of actual events, or is it an abuse of therapeutic intervention? Does rehabilitation

TOMORROW

The Daily News continues its look at rape, going behind the scenes of a shocking case to look at the tragic toll it has taken on its victims.

for sex offenders really work?

We have failed to eradicate the crime of rape, and failed to stem its rise, but until we do we must continue to treat its survivors with the dignity and understanding that we have denied them for too many decades.

The year before I joined the district attorney's office,

more than 1,000 men were arrested for rape in this city, and only 18 were convicted.

Now we convict hundreds of men of these crimes every year because of the long-overdue legislative reform undertaken in this state (much work in this direction is still needed) and because of the creative solutions worked at by the many professionals who have been pioneers in this newly developed field of expertise: the investigation and prosecution of rape.

We have proven in the last two decades that the criminal justice system can work, and, for the victims of these heinous crimes, it must be made to work everywhere.

Fairstein is also the author of "Sexual Violence: Our War Against Rape."